

## **REPORT OF THE BOARD OF STEWARDS**

### **BAY MEADOWS RACE COURSE**

**SAN MATEO, CA.**

#### **To the California Horse Racing Board**

Arnold Schwarzenegger, Governor

Honorable Richard B. Shapiro, Chairman

Honorable John C. Harris, Vice Chairman

Honorable John W. Amerman, Member

Honorable John Andreini, Member

Honorable Jesse H. Choper, Member

Honorable Marie G. Moretti, Member

Honorable Jerry Moss, Member

Kirk E. Breed, Executive Director

Richard "Bon" Smith, Assistant Executive Director

#### **BOARD OF STEWARDS**

Grant Baker- John Herbuveaux- Darrel McHargue

Report for the period Thursday, February 28 through Monday March 3, 2008

2/28/2008 THURSDAY

(1) CAL-BRED REPORT

Purse \$11,000 for Cal-Bred Three Year Olds, claiming price \$6,250 at six furlongs. This race failed to fill with four entrants.

(2) FRANCISCO MARTIN (Case No 08GG024)

Owner/Trainer Francisco Martin appeared in the Stewards office to address alleged violation of California Horse Racing Board Rules 1859.5 (Disqualification Upon Positive Test Finding) and 1760 (Purse Award or Prize to be Withheld).

The purpose of this hearing was to address the return of purse winnings of \$1,840 that were earned by the horse BUMPER CROP at the Solano County Fair in Vallejo. On October 14, 2007, Bay Meadows Stewards ordered (Ruling #38) the return of those purse monies to CARF (California Authority of Racing Fairs). This order was issued as a result of a prohibited

drug substance (Hydromorphone – Class I) test result from the Martin trained BUMPER CROP. This horse finished second, in the seventh race, July 21, 2005.

Francisco Martin acknowledged he owes the purse money and waived his right to a formal hearing. Martin agreed to return these winnings in full in seven days (March 6, 2008) or all licenses of his will be suspended.

(3) CHARLES TRENT COMPLAINT (CASE No 08GG045)

This complaint involves money allegedly past due for veterinarian services rendered by Equine Sports Medicine and Surgery. Don Smith D.V.M. and Jerry Parker D.V.M. presented the Stewards with a 'Financial Complaint Agreement' signed between them and Trainer Charles Trent.

In this signed agreement Trainer Trent agrees to pay this bill of \$1,454.00 in \$200.00 increments until it is paid in full. A copy of this agreement is in the hands of the Stewards who will be alerted if it is not adhered to. Failure to fulfill the terms of the agreement will necessitate further action by the Stewards.

(4) TOTE BOARD UPDATE

Mutual Manager Bryan Wayte appeared in the Stewards office to give them a status report of the infield tote board. Wayte informed us that as of today the 'flasher lights' for Inquiries and Dead Heats have been installed by the tote department and are operable.

(5) TRACK RATING

Prior to the second race the track condition was downgraded from fast to good.

(6) STEVE MIYADI RULING

Ruling #15

Trainer Steve Miyadi, is hereby fined three hundred dollars (\$300.00) \*pursuant to California Horse Racing Board Rule # 1629 (Penalty for Late Declaration), for failure to have the foal certificate of ARMSTRONG WON in the racing office, necessitating a late declaration from the sixth race on Monday, February 25, 2008, at Bay Meadows Race Course.

The above ruling was issued after the late declaration of the maiden ARMSTRONG WON from the sixth race on Monday, February 25, 2008.

(7) FIFTH RACE INQUIRY-JOCKEY OBJECTION

The Stewards posted the inquiry sign following this race after viewing contact in the homestretch between first place finisher #5 TIMOCRACY (Russell Baze) and second place finisher #1 WOODLAND BREEZE (David Lopez). Jockey Lopez also lodged an objection against #5 TIMOCRACY following this race.

In the stretch drive the Stewards reviewed two incidents. The first incident involved #5 TIMOCRACY drifting inward while making slight contact with #1 WOODLAND BREEZE. In the second incident #1 WOODLAND BREEZE drifts out and makes contact with #5 TIMOCRACY with less than forty yards before the finish. The Stewards received a Patrol Judge report, observed films and spoke with both riders involved.

The majority of the Stewards felt the two incidents offset one another therefore no change was warranted. Steward McHargue voted for a disqualification. Russell Baze was ordered to film review.

(8) DECLARATIONS AND REFUNDS

2 <sup>nd</sup> race #3 BRAVE J LO	(Tr. Sergio Ledezma)
vet- sick Diane Isbell D.V.M.	Refunds \$ 406.00
7 <sup>th</sup> race #8 KNOCK KNOCK	(Tr. Dennis Ward)
vet- sick Diane Isbell D.V.M.	Refunds \$ 525.20

(9) ATTENDANCE – HANDLE

On Track Attendance	1,520
N-Cal Attendance	3,873
On Track Handle	\$ 375,388.90
N-Cal Handle	\$ 1,190,350.00
<u>S Cal on N Cal</u>	<u>\$ 509,505.90</u>
Total Handle	\$ 3,294,150.54

2/29/08 FRIDAY

(1) CAL-BRED REPORT

Purse \$9,500 for Cal-Bred Four Year Olds and Upward claiming price \$4,000 at one mile and one-sixteenth went Non Cal-Bred with six entrants.

(2) RUSSELL BAZE FILM REVIEW

Jockey Russell Baze appeared in the Stewards office today to review his ride aboard first place finisher TIMOCRACY, who ran in yesterday's (Ref: 2/28/08 (7)) fifth race. Jockey Baze survived a Steward's Inquiry and Jockey's claim of foul in this race.

The Stewards wanted to review an incident approaching the 1/16 pole where #5 TIMOCRACY and Jockey Baze drift in and make contact with second place finisher #1 WOODLAND BREEZE (David Lopez). Jockey Baze told the Stewards that his mount was lugging inward while racing on its left lead down the homestretch. Before film review he felt the incident was minor in nature but afterward acknowledged somewhat more significance.

The majority of the Stewards felt Jockey Baze could have made a better effort to avoid this incident and that therefore a sanction was warranted (Steward Baker dissenting). The Stewards issued the following ruling.

Ruling # 16

*Jockey Russell Baze, who rode TIMOCRACY in the fifth race at Bay Meadows Race Course on Thursday, February 28, 2008, is suspended three (3) racing days (March 7, 8 and 9, 2008) for failure to make a proper effort to maintain a straight course in the stretch and causing interference; a violation of California Horse Racing Board Rule #1699 (d) & (f) (Riding Rules- Careless Riding).*

(3) FRANCES HENDERSON RULING

Ruling # 17

*Trainer Frances Henderson is fined twenty five dollars (\$25.00)\* for violation of Stable Area parking regulations at Golden Gate Fields on February 17, 2008.*

The ruling above was issued only after Trainer Frances Henderson was afforded numerous illegal parking warnings from Golden Gate Stable Security.

(4) OFFICIAL CHANGE

Clerk of Scales Paul Nicolo is off today in order to serve as a Steward this afternoon/evening at Cal-Expo Harness (Sacramento). Ken Sjoldal (Assistant Clerk of Scales) will serve as Clerk of Scales today. Ross Allardyce will fill in as Assistant Clerk of Scales.

(5) TIME CHANGE

Price Maker/Timer Richard Sommers informed the Stewards of an incorrect final time in yesterday's (February 28th) seventh race. #4 QUICK SONG tripped the timer at 104.14 following this five and one half furlong event yesterday. After replaying the race on video tape several times Sommers revised his final time to 103.30. Bay Meadows has experienced timer problems frequently during the first seventeen days of racing.

(6) INQUIRY FREE DAY

Today's eight race card was free of Stewards inquiries and/or Jockey objections. Jockey Russell Baze booted home all the winners in races one through four. #8 SLEWSKY (Jockey Adrian Perez) got loose in the post parade prior to the fifth race. This horse ran over a mile before being scratched by the Stewards.

(7) DECLARATIONS- REFUNDS

2 <sup>ND</sup> race #1 MILEHIGHKISSES	(Tr. Steve Sherman)
vet- injury Jessica Christiansen D.V.M.(reared in gate)	Refunds \$65,951.22

#2 STORMY DESTIN	(Tr. Steve Miyadi)
vet- sick Diane Isbell D.V.M.	Refunds \$577.10

4 <sup>th</sup> race #4 HOT TIN KITTY	(Tr. Jamey Thomas)
vet- sick Diane Isbell D.V.M.	Refunds \$ 248.00

#7 SALLY SILK SOX	(Tr. Mark Rheinford)
vet- sick Diane Isbell D.V.M.	Refunds \$ 210.00

5 <sup>th</sup> race # 5 CAPER SLEW	(Tr. Cirilo Sierra)
vet- sick Diane Isbell D.V.M.	Refunds \$ 57.00

6 <sup>th</sup> race # 8 SLEWSKY	(Tr. Ricardo Perez)
Stewards- loose in post parade	Refunds \$ 2985.54

8 <sup>th</sup> race # 4 HOLY LARK	(Tr. Jamey Thomas)
vet- injured Diane Isbell D.V.M.	Refunds \$ 182.00

(8) ATTENDANCE - HANDLE

On Trace Attendance	1,184
N-Cal Attendance	3,560
On Track Handle	\$ 368,578.40
N-Cal Handle	\$ 1,323,263.90
<u>S Cal on N Cal</u>	<u>\$ 496,238.70</u>
Total Handle	\$ 3,122,398.44

3/1/08 SATURDAY

(1) CAL-BRED REPORT

Two Cal-Bred races were written and filled by Racing Secretary Tom Doutrich today. They were:

a) Purse \$31,000 for Cal-Bred four Year Olds and Upward Allowance at one mile. This event went Cal-Bred with nine entrants.

b) Purse \$65,000 Foster City Handicap – Overnight Handicap for Fillies and Mares Four Years Old and Upward, bred in California at one mile went with seven entrants.

(2) JOSE MARTIN RULING

Ruling # 18

*In the matter of: Owner Jose V. Martin*

*The outstanding financial obligation to Equine Sports Medicine and Surgery having been resolved, the license privileges of owner Jose V. Martin are restored to good standing and Pacific Racing Association ruling # 6, dated November 16, 2007, suspending Mr. Martin for violation of California Horse Racing Board rule # 1547 ( Failure to Appear), is hereby set aside.*

The Stewards issued the ruling above after representatives of Equine Sports Medicine and Surgery informed us that outstanding veterinarian bills have now been satisfied.

(3) WINNER ON STEWARD'S LIST

During the third race winner #6 ICE LADY (Kyle Kaenel) bolted while on the lead just inside the ¼ pole. ICE LADY was three lengths in front at this point at which time Jockey Kaenel remained on horseback while losing a right iron.

ICE LADY went on to finish first in this race while well out in the middle of the racetrack.

The judges placed ICE LADY on the Steward's List where she will need a five eighths of a mile workout, in company, prior to re-entry.

(4) FIFTH RACE INQUIRY

The Stewards posted the Inquiry Sign after viewing fourth place finisher #7 HENNESSY'S HOPE (Catalino Martinez) take up from between horses inside the 1/16 pole. Both second place finisher #2 DEFICIT (Adrian Perez) and third place finisher #1 TAYLOR COUNTY (Jorge Ayarza) contributed to this event. #7 HENNESSY'S HOPE was tiring at the point of the incident and was a well beaten three and a half lengths for a better (third) placing. The Stewards made no change in the order of finish.

Jockey Ayarza and Apprentice Perez were ordered to film review.

(5) SEVENTH RACE -INQUIRY- DISQUALIFICATION

The Stewards posted the Inquiry Sign following this race to view an incident involving first place finisher #2 LIGHT OF THE WORLD (Catalino Martinez) and second place finisher #7 TOUCHDOWN CALL (Alex Bisono).

Turning for home (1/4 pole) #2 LIGHT OF THE WORLD has the lead while racing along the rail. Inside the 1/16 pole #7 TOUCHDOWN CALL is closing strongly along the outside, engaging #2 LIGHT OF THE WORLD in a spirited stretch duel. At this juncture #2 LIGHT OF THE WORLD drifts out under a strong hand ride from Jockey Catalino Martinez. This incident took #7 TOUCHDOWN CALL off a straight path, forcing him out to the middle of the racetrack nearing the finish.

After speaking with both riders involved, a patrol judge report and film review the Stewards unanimously voted to disqualify #2 LIGHT OF THE WORLD and place him second. Jockey Catalino Martinez was ordered to see the Stewards tomorrow. Trainer Armando Lage phoned the Stewards twice immediately following this race expressing disagreement with the decision.

Original Order of finish 2-7-4-1-5-1a-3-6-8

Official Order of finish 7-2-4-1-5-1A-3-6-8

(6) DECLARATIONS – REFUNDS

2<sup>ND</sup> race # 1 STRIP MINE  
vet- sick Diane Isbell D.V.M.

(Tr. Neil Drysdale)  
Refunds \$ 654.06

5<sup>th</sup> race #8 SALTY SCHOLAR  
vet- sick Diane Isbell D.V.M.

(Tr. Steve Miyadi)  
Refunds \$ 1,623.10

6<sup>th</sup> race #14 BEN'S STARRY NIGHT  
vet- sick Diane Isbell D.V.M.

(Tr. Peter Miller)  
Refunds \$ 39.10

8<sup>th</sup> race #6 STAR VOYAGER  
vet- sick Diane Isbell D.V.M.

(Tr. Gerardo Contreras)  
Refunds \$ 414.00

(7) ATTENDANCE- HANDLE

On Trace Attendance	3,640
N-Cal Attendance	8,442
On Track Handle	\$ 1,008,194.10
N-Cal Handle	\$ 2,810,845.30
<u>S Cal on N Cal</u>	<u>\$ 1,163,330.60</u>
Total Handle	\$6,378,228.24

3/2/2008 SUNDAY

(1) CAL-BRED REPORT

Purse \$ 13,000 for Cal-Bred four Year Olds and Upward, claiming price \$10,000 at five and one half furlongs. The Cal-Bred was called off with three entrants.

(2) STEWARD'S LIST

The Stewards placed a phone call to Trainer Steve Sherman to talk about his horse ICE LADY. This filly won yesterday's (March 1<sup>st</sup>) third race, but only after bolting after entering the homestretch. Trainer Sherman discussed several ideas with the Stewards that shows he is taking this filly's recent unpredictability seriously. The Stewards ordered that a non eventful morning workout, in company (with another horse) be held prior to considering Steward's List removal.

(3) GOLDEN GATE FIELDS TACKROOM FIRE (Case # 08BM042)

An informal hearing was held today regarding a tackroom fire on February 18<sup>th</sup>, 2008 at Golden Gate Fields. This tackroom was located in the north end of barn 43 (room #7) and is assigned to Trainer Daniel Franko. The inhabitants of this tack room were Exercise Rider Eligio Zuniga and Hotwalker Raymond Rodriguez. These men were both present at the hearing. They are both in the employ of Trainer Daniel Franko.

Also present at the hearing were California Horse Racing Board Supervising Investigator Anne Glasscock, California Horse Racing Board Investigator Gabe Palomar and Assistant Trainer Ambrosio Ortiz who also served as an interpreter. California Horse Racing Board Investigator



Charles Smith prepared a comprehensive investigative report for the Stewards and was also present at the hearing.

The Stewards asked several questions to the occupants of the tack room, Exercise Rider Zuniga and Hotwalker Rodriguez. Fortunately neither of the individuals were present during the mid-afternoon fire. Investigator Smith surmised that this fire was caused by an over abundance of electrical items powered with the assistance of an extension cord.

The following items were found in the tack room:

- A.) Mini Refrigerator
- B.) Microwave
- C.) Two televisions
- D.) Stereo system
- E.) DVD Player
- F.) Coffee pot
- G.) Alarm Clocks

Both Zuniga and Rodriguez understood what contributed to the fire. They both expressed remorse for the incident. Trainer Daniel Franko has been issued an invoice from Golden Gate Fields management in excess of \$4,500 for repair of tack room #7 in Barn 43. The Stewards will deliberate on this matter, with more to follow.

(4) CATALINO MARTINEZ FILM REVIEW

Jockey Catalino Martinez appeared in the Steward's office accompanied by Interpreter Valet Andy Gutierrez. Jockey Martinez's mount LIGHT OF THE WORLD was disqualified and placed second following yesterday's (March 1<sup>st</sup>) seventh race.

During this race Jockey Martinez took his rival #7 TOUCHDOWN CALL (Alex Bisoño) off his path straight while drifting outward under a strong hand ride. Jockey Martinez accepted responsibility for the interference he caused during this spirited stretch duel. For initiating contact and shifting out TOUCHDOWN CALL the Stewards unanimously voted to issue the following penalty.

Ruling #19

*Jockey Catalino Martinez who rode Light of the World in the seventh race at Bay Meadows Race Course on Saturday, March 1, 2008 is suspended three (3) racing days (March 9, 10, and 13, 2008) for failure to make a proper effort to maintain a straight course in the stretch and causing interference resulting in the disqualification of his mount from first to second. A violation of California Horse Racing Board Rule # 1699 (d) & (f) (Riding Rules- Careless Riding).*

The term of this suspension shall not prohibit participation in designated races in California

(5) STEVE MIYADI COMPLAINT (CASE: 08BM002)

Trainer Steve Miyadi waived his right to a hearing in this matter which concerned a bute overage that took place at Golden Gate Fields. Trainer Miyadi stated that the horse WARSIIDE ATTRACTION was administered the bute later than he had planned, prior to this horse's race. The Stewards issued the following ruling.

Ruling #20

*Trainer Steve Miyadi, who started the horse Warside Attraction, winner of the fifth race at Golden Gate Fields on January 26, 2008, is fined the sum of four hundred dollars (\$400.00)\* pursuant to California Horse Racing Board Rule # 1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board Rule 1843 (a) & (d) (Medication, Drugs and Other substances: Class VI Phenylbutazone – in excess of permitted level, 7.62 mcg/ml*

(6) FIRST RACE INQUIRY – JOCKEY OBJECTION

The Stewards posted the Inquiry sign after this race to review an incident approaching the 1/8th pole. There was also a jockey objection in this race by the third place finisher #1 ZORRA ROJA (Alfredo Miranda) against #2 SARARAH JR (Juan Ochoa).

Approaching the 1/8th pole both of these horses were dueling for the lead with #1 ZORRA ROJA taking up when his path was blocked by a lugging in #2 SARARAH JR. #1 ZORRA ROJA was tiring somewhat at this point and was a well beaten 3 ½ lengths for second place.

After a patrol judge report, film review and speaking with both riders the Stewards unanimously ruled that his incident did not warrant a disqualification. Jockey Juan Ochoa was ordered to film review with the Stewards.

(7) REFUNDS- DECLARATIONS

2 <sup>nd</sup> race #1 CLOSING STATEMENT vet- sick Diane Isbell D.V.M.	(Tr. Sergio Ledezma) Refunds \$246.00
6 <sup>th</sup> race #8 COROZON ROJO vet- unsound on track Jessica Christiansen D.V.M.	(Tr. Allen Rogers) Refunds \$ 16,635.32

7<sup>th</sup> race # 1 ALOTTADAR  
vet- injured Diane Isbell D.V.M.

(Tr. Jerry Hollendorfer)  
No refund, part of entry

8<sup>th</sup> race #3 MAHALO NATIVE  
vet- injured Diane Isbell D.V.M.

(Tr. William E Morey)  
Refunds \$ 1,568.00

(8) ATTENDANCE- HANDLE

On Trace Attendance	2,645
N-Cal Attendance	6,236
On Track Handle	\$ 723,021.30
N-Cal Handle	\$ 2,095,557.10
<u>S Cal on N Cal</u>	<u>\$ 973,493.10</u>
Total Handle	\$ 4,989,432.15

3/3/2008 MONDAY

(1) CAL- BRED REPORT

Purse \$12,000 for Cal Bred Fillies Three Years Old, claiming price of \$8,000 one mile and one eighth was called off with one entry.

(2) JUAN OCHOA FILM REVIEW

Jockey Juan Ochoa appeared in the Steward's office to review his ride aboard #2 SARARAH Jr. in yesterday's (March 2<sup>nd</sup>) first race. Jockey Ochoa's mount ducked in quickly approaching the 1/8 pole in this race. The Stewards felt Jockey Ochoa 'grabbed' his horse quickly and complemented him on swift corrective measures.

(3) WILLIAM SMITH HEARING (CASE #08BM031)

This case revolves around the alleged theft of horse feed in the Bay Meadows Stable Area. After the record was opened it was decided to postpone this matter until later this month. The alleged rule violations will be amended as well as a recent written declaration that will be added at the request of Trainer William Smith. More to follow.

(4) SMOOTH CARD

Today's eight race card went off without incident. There were neither Steward's inquiries nor Jockey objections throughout this afternoon.

(5) DECLARATIONS – REFUNDS

7<sup>th</sup> race #7 CARTIER BIJOUX  
vet- sick Diane Isbell D.V.M.

(Tr. Nick Canani)  
Refund \$ 198.12

(6) ATTENDANCE- HANDLE

On Trace Attendance	1,042
N-Cal Attendance	3,271
On Track Handle	\$ 365,683.50
N-Cal Handle	\$ 1,173,263.40
<u>S Cal on N Cal</u>	<u>\$ 487,368.60</u>
Total Handle	\$ 3,236,849.42

WEEK MEET

28 Feb. 29 Feb. 1 March 2 March 3 March TOTAL TOTAL

	28 Feb.	29 Feb.	1 March	2 March	3 March	TOTAL	TOTAL
<b>ACCIDENTS</b>	0	0	0	0	0	0	3
<b>CAL-BRED RACES</b>	0	0	2	0	0	2	3
<b>CLAIMS</b>	3	6	0	5	1	15	57
<b>DISQUALIFICATIONS</b>	0	0	1	0	0	1	5
<b>INQUIRIES/OBJECTIONS</b>	1	0	2	1	0	4	16
<b>REFUNDS</b>	2	7	4	4	1	18	60
<b>RULINGS</b>	1	2	1	2	0	6	20

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Grant Baker

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Darrel McHargue

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John Herbuveaux